

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

OSSIE LEE SLAUGHTER,

Plaintiff,

VS.

STEPHEN SINCLAIR, ELDON VAIL, DAN PACHOLKE and MARK KUCZA,

Defendants.

NO. CV-11-430-LRS

**ORDER DENYING MOTION OF
CLARIFICATION AND REQUEST FOR
RECONSIDERATION OF
APPOINTMENT OF COUNSEL**

BEFORE THE COURT is Plaintiff's document titled, "Motion of Clarification and Request for Reconsideration of Appointment of Counsel." ECF No. 22. Plaintiff, a prisoner proceeding *pro se* and *in forma pauperis*, failed to note his motion for calendar as required by Local Rule for the Eastern District of Washington 7.1(h). The Court has noted Plaintiff's motion for hearing without oral argument on the date signed below.

**PLAINTIFF IS CAUTIONED THAT ANY FURTHER MOTIONS SUBMITTED
TO THE COURT WITHOUT NOTING THEM FOR HEARING IN
COMPLIANCE WITH THE LOCAL RULES MAY NOT BE ADDRESSED BY
THE COURT.**

Plaintiff asserts the letter received on December 23, 2011, requesting an application for Appointment of Counsel, ECF No. 18, should not have been construed as a Motion for Appointment of Counsel. Consequently, he asserts the Court should not have issued the Order Denying Motion for Appointment of Counsel on January 12, 2012,

1 ECF No. 21.

2 Contrary to Plaintiff's assertions, the Order filed on January 12, 2012, does not
3 affect Plaintiff's substantive rights. Plaintiff is free to file another Motion for
4 Appointment of Counsel if he wishes. Also, as previously advised in a letter dated
5 January 6, 2012, the requested application for Appointment of Counsel form is not
6 available from the United States District Court Clerk's Office.

7 For the reasons set forth above, **IT IS ORDERED** the Motion of Clarification and
8 Request for Reconsideration of Appointment of Counsel, ECF No. 22, is **DENIED as**
9 **moot**. To the extent Plaintiff wishes to complain of the conditions of his confinement at
10 the Clallam Bay Correction Center, he may file a complaint in the Western District of
11 Washington, after he has exhausted his available administrative remedies.

12 **IT IS SO ORDERED.** The District Court Executive is directed to enter this
13 Order and forward a copy to Plaintiff.

14 **DATED** this 16th day of February, 2012.

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16 *s/Lonny R. Sukko*

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18 LONNY R. SUKO
19 UNITED STATES DISTRICT JUDGE
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